

ATTORNEY REGULATION ADVISORY COMMITTEE

Minutes of:
Wednesday, August 31, 2011
9:30 a.m. to 12:00 p.m.

State Courts Building, 1501 West Washington Street, Phoenix, Arizona
Conference Room 109

MEMBER ATTENDANCE		
PRESENT	TELEPHONICALLY PRESENT	ABSENT
Justice Michael D. Ryan (ret.)	Benny Click	John Tuchi
Allan Bayham		Hon. William J. O'Neil
James Drake, Jr.		Ronald Watson
George Riemer		
J. Scott Rhodes		
Patricia Sallen		
Pamela Treadwell-Rubin		
Emily Johnston @9:38am		
Maret Vessella		

OTHER ATTENDEES		
AOC STAFF	GUESTS	
Kathy Curry	Nancy Greenlee	
Emily Holliday	Nancy Swetnam	
Deann Barker		

Business Items and Potential Action Items

Item #	<u>Regular Business</u>	
	9:33 a.m. Call to Order	Justice Michael D. Ryan (Retired), Chair
	Justice Ryan gave a roll call of who was present then proceeded with the business of the day.	
	<u>Business Items and Potential Action Items</u>	
Item No. 1	<p>Review and Approval of June 29, 2011 ARC minutes</p> <p>Motion: Approve the June 29, 2011 ARC minutes First: Scott Rhodes Second: Alan Bayham Vote: Passed 9-0 Emily Johnston, John Tuchi, Ronald Watson and Hon. William O'Neil were absent and did not participate in the vote.</p> <p>Emily Johnston joined the meeting at 9:38a.m.</p>	Justice Michael Ryan (ret.)
Item No. 2	<p>Report by Rules Subcommittee</p> <p>Items discussed at length included:</p> <ul style="list-style-type: none"> ▪ Proposed rule changes for the Attorney Discipline Probable Cause Committee (hand out to members) ▪ Extra attention given to the ADPCC provision for a panel of 3. Discussion of keeping the provision for the flexibility it will afford in the future. ▪ Quorum questions based on recusals and absences. If only a panel of 3 is available, the ADPCC must have at least 1 each attorney and public actually voting to be a valid vote ▪ If an AD HOC member is needed it must be a like for like member. ▪ An attendance policy is in the works for ADPCC members ▪ Pam Treadwell-Rubin is offering forms that are used with other boards, so they may be helpful to the ADPCC ▪ Rule 50c specifies chair and vice chair of ADPCC must be an attorney. Unusual to have specifics in the AO ▪ To sign the orders, must be an attorney?? ▪ Subpoena rule requires legal knowledge ▪ Maret Vessella reports - No major changes needed but Rules 47, 55 and 61 need to be addressed. ▪ 47 – Subpoena rule ▪ 55 – Discretion of ADPCC – dismissal appeals specifically (report to follow) ▪ 61 – Interim suspension rule 	Justice Michael Ryan (ret.)

Item No. 3	<p>Report by Costs Subcommittee</p> <p>Items discussed at length included:</p> <ul style="list-style-type: none"> ▪ Admission expenses – changes due by 12/31/2011 ▪ Still for discussion in subcommittee – fees for other regulated groups (medical, CPA, etc...); costs in other states; various fee levels; what should the costs be? ▪ Is change necessary to any of these? ▪ Rate of recovery by State Bar – rules and costs defined per Rule 46 	Pamela Treadwell-Rubin
Item No. 4	<p>Report by Admissions Subcommittee → Uniform Bar Examination Update</p> <p>Items discussed at length included:</p> <ul style="list-style-type: none"> ▪ Rules 36 & 37 discussed ▪ Uniform Bar Exam (UBE) discussed ▪ UBE provides a standard exam in all participating jurisdictions ▪ AO must be in place by January 2012 to use the UBE in July 2012 ▪ Does UBE have local law component? Answer: no ▪ Have a local component included? ▪ Have a local law class such as AOM utilizes? ▪ UBE currently in 5 states ▪ UBE has 6 multi state essays ▪ UBE petition will be to the court ASAP after Labor Day ▪ Uniform grading? Yes – classes are given for graders after each test is given ▪ NCBE is a national testing organization ▪ Greater communication needed between C&F and Exams Committees 	James Drake
Item No. 5	<p>Additional Issues</p> <ul style="list-style-type: none"> ▪ No additional issues were addressed at today's meeting 	Justice Michael Ryan (ret.)
Item No. 6	<p>Call to the Public</p> <ul style="list-style-type: none"> ▪ No one from the public addressed the committee 	Justice Michael Ryan (ret.)

Next Meeting to be held
Friday October 14, 2011
Conference Room 109
Arizona Courts Building
1501 W Washington St
Phoenix, AZ 85007